

ENTERED

January 31, 2018

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

GARY SWYCK,

Plaintiff,

VS.

LORIE DAVIS, *et al*,

Defendants.

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CIVIL NO. 2:16-CV-489

ORDER

The Court has before it the Memorandum and Recommendation (“M&R”) of the Magistrate Judge to whom this case was referred (Dkt. No. 8), recommending that the Court dismiss certain claim and retain the above-captioned case, Defendant’s Motion for Summary Judgment (Dkt. No. 42), Plaintiff’s Dispositive Motion (Dkt. No. 46), the Magistrate Judge’s M&R recommending that the Court grant Defendant’s motion (Dkt. No. 47), and Plaintiff’s objections to that M&R (Dkt. No. 51).

After independently reviewing the record and applicable law, the Court **ADOPTS** the Magistrate Judge’s M&Rs (Dkt. Nos. 8, 47). Accordingly, the Court **GRANTS** Defendant’s Motion for Summary Judgment (Dkt. No. 42), **DENIES** Plaintiff’s Dispositive Motion (Dkt. No. 46), and **DISMISSES WITH PREJUDICE** the above-captioned case. Final Judgment will be entered separately in accordance with Federal Rule of Civil Procedure 58.

SIGNED this 31st day of January, 2018.



Hilda Tagle
Senior United States District Judge